

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE HONORABLE BOARD OF PATENT APPEALS

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In re the application of:)

Bazerman, et al.)

Application No: 09/746,201)

Filed: December 26, 2000)

For: REPRESENTING NETWORK)
LINK AND CONNECTION)
INFORMATION IN A)
GRAPHICAL USER)
INTERFACE SUITABLE FOR)
NETWORK MANAGEMENT)

Group Art Unit: 2174

Examiner: Steven Paul Sax

Attorney Docket: 91436-299

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APPELLANT'S BRIEF UNDER 37 C.F.R. 1.192

The Assistant Commissioner of Patents
Washington, D.C. 20231
U.S.A.

Dear Sir or Madam:

The following is the Appellant's Brief, submitted in triplicate and under
the provisions of 37 C.F.R. 1.192. The fee of \$330 required by 37 C.F.R.
1.17(c) is enclosed.

Real Party in Interest

The real party in interest is the assignee of record, i.e. NORTEL
NETWORKS LIMITED.

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Related Appeals and Interferences

There are no related appeals or interferences that will directly affect, be directly affected by, or have a bearing on the present appeal.

Status of Claims

The present appeal is directed to all of the pending claims in this application, namely, claims 1 - 27. All of these claims have been rejected.

Status of Amendments

No amendments have been filed after final rejection.

Summary of the Invention

The present invention relates to a method, tool, and computer readable medium for representing network link and connection information in a graphical user interface (GUI) suitable for network management.

Computer and/or telecommunications networks are commonly managed through the use of network management tools. Network management tools are typically software applications executing on network-coupled devices which allow a user to perform network maintenance, surveillance and administration operations. Such tools commonly provide a GUI which displays a graphical representation of the network being managed. In this graphical representation, various types of network objects, such as network nodes and network links, may be displayed in the form of icons, along with some visual indication of their state or status (enabled/disabled, active/idle, etc.).

The present invention specifically relates to the graphical representation of network links and connections. A network link is a transmission system (e.g. copper wire, coaxial cable, optical fiber, microwave link or satellite link) which

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interconnects network nodes (see application page 6, lines 20-23). A connection is formed on a particular link between network nodes. It should be emphasized that a connection is not a separate entity from a link, but rather is formed on a network link (see application page 8, lines 4-5). A connection may exist on a network link regardless of whether the network link is in-service or out-of-service (see application page 8, lines 4-6).

The present invention provides a manner of visually representing network links and connections on network links in a manner which provides status information at a glance. Briefly, network links and connections are each represented as lines. The lines used to represent network links are given different visual characteristics from the lines used to represent connections on those links. Moreover, the visual characteristic of a line representing a network link may change depending upon the state (e.g. in-service, out-of-service) of the network link.

An example will serve to illustrate this approach. Referring to FIG. 3 of the application, a graphical representation of a network in which network nodes are illustrated as boxes [26] is shown. Each network link in the network is illustrated as either a thick solid line [102] or a thin broken line [100] depending upon whether the state of the link is in-service or out-of-service (respectively) (see application page 8, lines 7-10). Connections on network links are illustrated as thin solid lines [104].

In another aspect of the present invention, the state of a network link may determine whether a line representing the link is completely covered by, or is not completely covered by, a line representing a connection on that link. For example, referencing FIG. 3 once again, it may be seen that when a network link is in the in-service state, the thick solid line [102] used to represent the link is only partially covered by the thin solid line [104] used to represent a connection on that link (see application page 8, lines 14-16). However, when the same network link is in the out-of-service state (see FIG. 4), the thin solid line [104] that is used to represent the connection completely covers the thin

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broken line [100] which is used to represent an out-of-service link (see application page 9, lines 4-7).

Issues

The sole issue at appeal is whether the Examiner erred in rejecting claims 1-27 under 35 U.S.C. 103(a) over U.S. Patent No. 6,112,015 to Planas et al. (hereinafter "Planas") in view of U.S. Patent No. 6,229,538 to McIntyre et al. ("McIntyre").

Grouping of claims

Each of the following claim groups I-VII is independently and separately patentable:

- Group I: Claims 1, 4, 5, 18, and 21-27;
- Group II: Claims 2 and 19;
- Group III: Claims 3 and 20;
- Group IV: Claims 6 and 7;
- Group V: Claim 8;
- Group VI: Claims 9-12; and
- Group VII: Claims 13-17.

Argument

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of

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ordinary skill in the art, to modify a reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. MPEP § 2143 (rev. Feb. 2003).

"All words in a claim must be considered in judging the patentability of that claim against the prior art." *In re Wilson*, 424 F.2d 1382, 1385, 165 USPQ 494, 496 (CCPA 1970).

It is respectfully submitted that the prior art references do not teach or suggest all the claim limitations of any of the claims presently on file, and that a prima facie case of obviousness has therefore not been established.

1. Claim Group I: Claims 1, 4, 5, 18, and 21-27

The first claim in Group I, claim 1, is an independent claim directed to a method comprising operating an output device to: "... represent each link in a first state as a line ... and represent a connection on a given network link as a line ..." [emphasis added] (see Appendix for full claim language).

In Planas, none of the connections (10) are "on" any of the links (4). Rather, as shown in Fig. 1 and described at column 4, lines 33 to 39, connections (10) are separate from links (4). McIntyre does not disclose any connections on links.

Moreover, neither Planas nor McIntyre teaches or suggests operating an output device to represent a connection on a given network link as a line and represent the link as a line.

Method claim 1 also recites operating an output device to: "represent a connection on a given network link as a line ... , such that, when said given network link is in said first state, said line representing said connection completely covers said line representing said given network link and, when said given network link is in said second state, said line representing said

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connection does not completely cover said line representing said given network link."

The Examiner suggests that Planas teaches completely covering the line representing a network link, and refers to Figure 7 and column 9, lines 1-10 and 42-50 of Planas as supporting this position (see Final Office Action, paragraph 4). The Applicant traverses this suggestion. The referenced figure and text of Planas merely describes the use of link icons with three different borders to represent links in three different states (i.e. Disabled-Idle, Enabled-Idle, and Enabled-Active). Therefore, it is submitted that the portion of Planas relied upon by the Examiner does not show the noted features of claim 1.

The Examiner admits that Planas does not specifically show that in a second state the line representing the connection does not completely cover the line representing the network link (see Final Office Action, paragraph 4), but suggests that Planas does show "other visual changes to the line such as dashed or dotted." With respect, whether or not "other visual changes" to a line are described in Planas is not material to the issue at hand, namely, whether any cited reference shows that in a second state the line representing a connection on a network link does not completely cover the line representing the link.

The fact is that neither Planas nor McIntyre teaches or suggests this further claim limitation.

In summary, it is submitted that neither Planas nor McIntyre teaches or suggests any of: (1) representing a connection on a given network link; (2) representing a connection on a given network link as a line and representing the link as a line; or (3) representing a connection on a network link as a line such that, when the link is in a first state, the line representing the connection completely covers the line representing the network link and, when the link is in a second state, the line representing the connection does not completely cover the line representing the link.

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Claims 18, 25 and 26 are independent claims directed to computer readable medium, network management tool, and graphical user interface (respectively), and are analogous to claim 1. Claims 4, 5, 21-24, and 27 depend directly from the independent claims. The above argument also applies to these claims.

Accordingly, as each of the claims of Claim Group I includes three claim limitations not present in Planas or McIntyre, it follows that these references cannot render these claims obvious.

In respect of claim 1, the Examiner also stated at page 4 of the Final Office Action that "McIntyre et al show a different connection state being represented by not completely covering a line (Figure 13, column 15 lines 20-33) for visual distinction." In response, the Applicant submits that even if the graphic representations of port status shown in McIntyre can be said to pertain to connections, which is not admitted, McIntyre merely shows the use of different icons for different port states. As a result, when McIntyre is combined with Planas, the limitations of claim 1 are not met.

In view of the foregoing, reversal of the Examiner's rejection of these claims under 35 U.S.C. 103(a) is requested.

2. Claim Group II: Claims 2 and 19

Claim 2 is a dependent claim depending from independent claim 1 and introduces the limitation that when the network link is in the second state, the line representing the connection partially covers the line representing the link (see Appendix for full claim language). Claim 19 is an analogous computer readable medium claim which depends from independent claim 18.

The same argument as was made above for Claim Group I regarding the failure of the references to teach or suggest all the claim limitations is equally applicable to Claim Group II.

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The Examiner states in paragraph 5 of the Final Office Action that "McIntyre et al in fact shows the partial covering (Figure 13, column 15, lines 20-33)." It is not clear to the Applicant where partial covering is shown in the referenced portions of McIntyre. In any event, the Applicant emphasizes that it is not sufficient to merely show a line partially covering another line. What must be shown is a line representing a connection partially covering a line representing a network link.

Accordingly, it is submitted that no *prima facie* case of obviousness has been established in respect of claims 2 and 19.

3. Claim Group III: Claims 3 and 20

Claim 3 is a dependent claim depending from independent claim 1 and introduces the limitation that when the network link is in the second state, the line representing the connection partially covers the line representing the link such that a margin of the line representing the link is visible (see Appendix for full claim language). Claim 20 is an analogous computer readable medium claim which depends from independent claim 18.

The same argument as was made above for Claim Group I regarding the failure of the references to teach or suggest all the claim limitations is equally applicable to Claim Group III.

In response to the Examiner's statement in paragraph 6 of the Final Office Action that "Planas et al show that the margin of a line is visible (Figure 21C element 230)", the Applicant again emphasizes that it is not sufficient to merely show a the margin of a line being visible. What must be shown is a line representing a connection partially covering a line such that a margin of a line representing a network link is visible.

Accordingly, it is submitted that no *prima facie* case of obviousness has been established in respect of any of the claims of Group III.

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4. Claim Group IV: Claims 6 and 7

Claim 6 depends from claim 5 (which in turn depends from Independent claim 1) and introduces the limitation that the line representing the connection is a thin and solid line that is at least the same thickness as the line representing the network link in a first state and less thick than the line representing the network link in a second state. Claim 7 also depends from claim 5, and introduces the limitation that the line representing the connection includes a pattern that is different from the line representing the network link in a first state and the line representing the network link in a second state (see Appendix for full claim language).

The same argument as was made above for Claim Group I regarding the failure of the references to teach or suggest all the claim limitations is equally applicable to Claim Group IV.

The Examiner states in paragraph 9 of the Final Office Action in respect of claim 6 that "Planas et al do not specifically show the various levels of thickness for three states, but do (sic.) Planas et al for example do show multiple line colorings and shadings to distinguish three states (Figures 21E-F)." In response, the Applicant notes that "showing various levels of thickness for three states" is not claimed. Moreover, whether or not "multiple line colorings and shadings to distinguish three states" is or is not shown is immaterial. What would be material is showing a line representing a connection on a network link as a thin and solid line that is at least the same thickness as a line representing a link in a first state and less thick than a line representing a link in a second state. This is not shown in either of the cited references.

Similar comment is made regarding the Examiner's statement in paragraph 10 of the Final Office Action regarding claim 7.

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Accordingly, it is submitted that no *prima facie* case of obviousness has been established in respect of any of the claims of Group IV.

5. Claim Group V: Claim 8

Claim 8 is a dependent claim depending from independent claim 1 which introduces the limitation that each of the lines representing the network link in a first state, the network link in a second state, and the connection on a given network link, is a different color (see Appendix for full claim language).

The same argument as was made above for Claim Group I regarding the failure of the references to teach or suggest all the claim limitations is equally applicable to claim 8.

The Examiner states in paragraph 11 of the Final Office Action that "Planas et al show the characteristics may be all different colors (Figure 21E)." In response, the Applicant emphasizes that it is not sufficient to merely show characteristics of different lines being different colors. What must be shown is a line representing a network link in a first state, a line representing a network link in a second state, and a line representing a connection being different colors.

For the above reasons, it is submitted that no *prima facie* case of obviousness has been established in respect of claim 8.

6. Claim Group VI: Claims 9-12

The first claim in Group VI, claim 9, is an independent claim directed to a method comprising operating an output device to: "... represent out-of-service links with a thin broken line ... represent in-service links with a thick solid line; and... represent connections on a given link as a thin solid line ..." [emphasis added].

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Claim 10 depends from claim 9 and introduces the limitation that the line representing a connection is overlayed on the line representing a link. Claim 11 depends from claim 10 and introduces the further limitation that the thin solid line obscures the thin broken line when overlayed thereon. Claim 12 depends from claim 9 and specifies that the broken line is a dashed line (see Appendix for full claim language).

As argued above in respect of Claim Group I, in Planas, none of the connections (10) are "on" any of the links (4). Rather, as shown in Fig. 1 and described at column 4, lines 33 to 39, connections (10) are separate from links (4). McIntyre does not disclose any connections on links.

Moreover, neither Planas nor McIntyre teaches or suggests operating an output device to represent connections on a given network link as a line and represent the link as a line, much less as solid lines and broken lines of the claimed relative thicknesses.

Accordingly, as each of the claims of Claim Group VII includes the above noted claim limitations not present in Planas or McIntyre, it follows that these references cannot render these claims obvious. Reversal of the Examiner's rejection of these claims under 35 U.S.C. 103(a) is therefore requested.

7. Claim Group VII: Claims 13-17

Claims 13 and 14 are each dependent claims depending from independent claim 9 which introduce the further limitations that each of the thin broken line, thick solid line and thin solid lines are a different color or different pattern respectively. Claims 15, 16 and 17 also each depend from claim 9 and specify a color for one of the thick solid line, thin solid line and thin broken line (see Appendix for full claim language).

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The same argument as was made above for Claim Group VI regarding the failure of the references to teach or suggest all the claim limitations is equally applicable to claims 13-17.

With regard to claims 15-17, the Examiner states in paragraph 13 of the Final Office Action that "Planas et al show red broken line, yellow and green solid lines which may be thick or thin (Figure 21E, column 16, lines 20-45)." In response, the Applicant emphasizes that it is not sufficient to merely show thick or thin broken and solid lines of the specified colors. What must be shown is a thin broken line representing out-of-service links, a thick solid line thicker than the thin broken line representing in-service links, and a thin solid line at least as thick as the thin broken line and thinner than the thick solid line representing connections on a given link, with the colors as specified in claims 15-17.

Accordingly, it is submitted that no *prima facie* case of obviousness has been established in respect of any of the claims of Claim Group VII.

Summary

For the foregoing reasons, it is submitted that the Examiner's rejections of claims 1-27 are not well founded, and reversal of his rejections is respectfully requested.

Respectfully submitted,



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Date: June 21, 2004
91436-299 RDF/PAE/jbs

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Appendix – Claims Currently on File

1. A method for representing network link and connection information in a graphical user interface suitable for network management, comprising:

receiving information about network link state and connection status within a network; and

operating an output device to:

represent each link in a first state as a line having a first visual characteristic;

represent each link in a second state that is different from said first state as a line having a second visual characteristic, different from said first visual characteristic; and

represent a connection on a given network link as a line having a third visual characteristic, different from said first and second visual characteristics, such that, when said given network link is in said first state, said line representing said connection completely covers said line representing said given network link and, when said given network link is in said second state, said line representing said connection does not completely cover said line representing said given network link.

2. The method of claim 1, wherein, when said given network link is in said second state, said line representing said connection partially covers said line representing said given network link.
3. The method of claim 1, wherein, when said given network link is in said second state, said line representing said connection partially covers said line representing said given network link such that a margin of said line representing said given network link is visible.

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4. The method of claim 1, wherein said first state is out-of-service and said second state is in-service.
5. The method of claim 1, wherein said line having said first visual characteristic is a thin and broken line and said line having said second visual characteristic is thicker than said line having said first visual characteristic.
6. The method of claim 5, wherein said line having said third visual characteristic is a thin and solid line that is at least the same thickness as said line having said first visual characteristic and less thick than said line having said second visual characteristic.
7. The method of claim 5, wherein said line having said third visual characteristic further includes a pattern that is different from said line having said first visual characteristic and said line having said second visual characteristic.
8. The method of claim 1, wherein each of said line having said first visual characteristic, said line having said second visual characteristic, and said line having said third visual characteristic is a different color from the others.
9. A method for representing network link and connection information in a network management graphical user interface comprising:
 - receiving information about link state and connection status within a network;
 - and
 - operating an output device to:
 - represent out-of-service links with a thin broken line;
 - represent in-service links with a thick solid line, thicker than said thin broken line; and

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represent connections on a given link as a thin solid line that is at least as thick as said thin broken line and thinner than said thick solid line.

10. The method of claim 9, wherein said thin solid line is overlayed on said thick solid line or said thin solid line to represent a connection on a given link.
11. The method of claim 10, wherein said thin solid line obscures said thin broken line when overlayed thereon.
12. The method of claim 9, wherein said thin broken line is a dashed line.
13. The method of claim 9, wherein each of said thin broken line, said thick solid line and said thin solid line is a different color from the others.
14. The method of claim 9, wherein each of said thin broken line, said thick solid line and said thin solid line is a different pattern from the others.
15. The method of claim 13, wherein said thick solid line is green in color.
16. The method of claim 13, wherein said thin solid line is yellow in color.
17. The method of claim 13, wherein said thin broken line is red in color.
18. A computer readable medium containing computer executable code for adapting a computer input with network link and connection information to:

output each link in a first state as a line having a first visual characteristic;

output each link in a second state that is different from said first state as a line having a second visual characteristic, different from said first visual characteristic; and

output a connection on a given network link as a line having a third visual characteristic, different from said first and second visual

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characteristics, such that, when said given network link is in said first state, said line representing said connection completely covers said line representing said given network link and, when said given network link is in said second state, said line representing said connection does not completely cover said line representing said given network link.

19. The computer readable medium of claim 18, wherein, when said given network link is in said second state, said line representing said connection partially covers said line representing said given network link.
20. The computer readable medium of claim 18, wherein, when said given network link is in said second state, said line representing said connection partially covers said line representing said given network link such that a margin of said line representing said given network link is visible.
21. The computer readable medium of claim 18, wherein said first state is out-of-service and said second state is in-service.
22. The computer readable medium of claim 18, wherein each of said line having said first visual characteristic and said line having said third visual characteristic is a different pattern from the other.
23. The computer readable medium of claim 18, wherein each of said line having said second visual characteristic and said line having said third visual characteristic is a different pattern from the other.
24. The computer readable medium of claim 18, wherein each of said line having said first visual characteristic, said line having said second visual characteristic, and said line having said third visual characteristic is a different color from the others.
25. A network management tool comprising:

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means for receiving information about network link state and connection status within a network;

an output device; and

means for operating said output device to:

represent each link in a first state as a line having a first visual characteristic;

represent each link in a second state that is different from said first state as a line having a second visual characteristic, different from said first visual characteristic; and

represent a connection on a given network link as a line having a third visual characteristic, different from said first and second visual characteristics, such that, when said given network link is in said first state, said line representing said connection completely covers said line representing said given network link and, when said given network link is in said second state, said line representing said connection does not completely cover said line representing said given network link.

26.A graphical user interface for displaying network link and connection information, said graphical user interface displaying:

each network link in a first state as a line having a first visual characteristic;

each network link in a second state that is different from said first state as a line having a second visual characteristic, different from said first visual characteristic; and

a connection on a given network link as a line having a third visual characteristic, different from said first and second visual characteristics,

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such that, when said given network link is in said first state, said line representing said connection completely covers said line representing said given network link and, when said given network link is in said second state, said line representing said connection does not completely cover said line representing said given network link.

27. The graphical user interface of claim 26, wherein said display of said connections is independent of said display of said network links.

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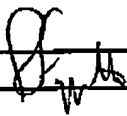
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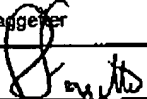
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	Filing Date	December 26, 2000	
	First Named Inventor	BAZERMAN, Mark L. et al	
	Art Unit	2174	
	Examiner Name	Steven Paul Sax	
Total Number of Pages in This Submission	57	Attorney Docket Number	91436-299

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Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 330.00)

Complete if Known

Application Number	09/746,201
Filing Date	December 26, 2000
First Named Inventor	BAZERMAN, Mark L. et al.
Examiner Name	Steven Paul Sax
Art Unit	2174
Attorney Docket No.	91436-299

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit Account Number
Deposit Account Name

19-2548

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The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1) (\$)			

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims		-20** =		X		Fee Paid
Independent Claims		-3** =		X		
Multiple Dependent						

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1202 18	2202 9	Claims in excess of 20	
1201 86	2201 43	Independent claims in excess of 3	
1203 290	2203 145	Multiple dependent claim, if not paid	
1204 86	2204 43	** Reissue independent claims over original patent	
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2) (\$)			

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	330.00
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to Institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 840	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 330.00)

SUBMITTED BY

Name (Print/Type) Ronald D. Faggetter

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33,345

(Complete if applicable)

Telephone 416-593-5514

Signature

Date June 21, 2004

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